

**AN ORDINANCE BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE**

**AN ORDINANCE AUTHORIZING SETTLEMENT OF ALL CLAIMS OF  
IRENE PERRY AGAINST THE PRIVATE INDUSTRY COUNCIL,  
REKA EATON, AND THE CITY OF ATLANTA IN THE CASE OF SARA  
THOMAS, ET AL. V. PRIVATE INDUSTRY COUNCIL, ET AL., CIVIL  
ACTION NUMBER 1:98-CV-1863-CC, FILED IN THE UNITED STATES  
DISTRICT COURT; TO CAUSE PAYMENT TO BE MADE IN THE  
AMOUNT OF THIRTY THOUSAND DOLLARS (\$30,000);  
AND FOR OTHER PURPOSES.**

**WHEREAS**, on June 1, 1998, Plaintiffs Sara Thomas, Edward Coachman, Reynold Holborough, and Irene Perry initiated the case of Sara Thomas, et al. v. Private Industry Council of Atlanta, Inc., et al., pursuant to 42 U.S.C. Section 1983, the United States Constitution, and the Constitution of the State of Georgia; and

**WHEREAS**, Plaintiff Perry was employed with the Private Industry Council (PIC), a job training program funded by the Federal Job Training Partnership Act (JPTA) since December 1993; and

**WHEREAS**, Plaintiff Perry had been employed by the City of Atlanta for over 6 years before she was terminated from her unclassified position; and

**WHEREAS**, at the time of her termination, Perry worked as an Assessment Counselor; and

**WHEREAS**, Plaintiff Perry was employed in the City's unclassified civil service, and served at the will of the employer; and

**WHEREAS**, Defendant Reka Eaton, the Director of the PIC, terminated Perry from employment in January 1998; and

**WHEREAS**, Perry alleges violation of her rights under 42 United States Code § 1983, the United States Constitution, and the Constitution of the State of Georgia as a result of her termination, and sought damages and attorneys' fees; and

**WHEREAS**, by Order dated March 29, 2000, United States District Court Judge Clarence Cooper granted summary judgment to Defendants as to Eaton's entitlement to qualified immunity; and

**WHEREAS**, as a result of that Order, the legal issue remaining for trial is whether Plaintiffs can demonstrate to a jury that they were terminated due to their protected speech; and

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**WHEREAS**, Judge Cooper further ordered the parties to mediate the case in an effort to reach a compromise and settlement; and

**WHEREAS**, Plaintiff Perry has agreed to settle all claims in this matter for \$ 30,000., including attorneys' fees; and

**WHEREAS**, Atlanta City Code § 2-783 (h) (1) authorizes payment by resolution up to a maximum of \$2,000. for settlement of a case on behalf of a city employee or officer; and

**WHEREAS**, this settlement is contingent upon approval of the Atlanta City Council and the Mayor; and

**WHEREAS**, by settlement, Defendants admit no liability; and

**WHEREAS**, the offer of settlement acceptable to Plaintiff Perry is, in the opinion of the City Attorney, appropriate to settle all claims against Defendants arising out of the case of Sara Thomas, et al. v. Private Industry Council of Atlanta, Inc., et al.

**NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA** as follows:

1. That the City Attorney be and is hereby authorized to conclude settlement of all claims against the City of Atlanta, Private Industry Council, Inc., and Reka Eaton arising out of the lawsuit filed by Irene Perry in the United States District Court, as set forth in Civil Action Number: 1:98-CV-1863-CC.
2. That the Chief Financial Officer is authorized to pay the total of \$30,000 at the direction of the City Attorney from Fund Account # 1A01 529017 T31001, in the form of a check in the amount of \$30,000, payable to Plaintiff Irene Perry and her Attorneys. Such payment will be in full consideration of the dismissal of all claims against Defendants.
3. That the Atlanta City Code § 2-783 (h) (1) is hereby waived for payment of this settlement to Plaintiff Irene Perry in this case.

A true copy,

  
Deputy Clerk

**ADOPTED** by the Council  
**RETURNED WITHOUT SIGNATURE OF THE MAYOR**  
**APPROVED** as per City Charter Section 2-403

DEC 04, 2000

DEC 13, 2000

RCS# 2434  
12/04/00  
3:58 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-19

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	B Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	NV Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-O-1874  
00-O-1986  
00-R-1950

CONSENT

		12/04/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSE ON CONSENT AGENDA
1. 00-O-1289 2. 00-O-1680 3. 00-O-1792 4. 00-O-1797 5. 00-O-1003 6. 00-O-1228 7. 00-O-1795 8. 00-O-1796 9. 00-O-1860 10. 00-O-1616 11. 00-O-1853 12. 00-O-1801 13. 00-O-1963 14. 00-O-1965 15. 00-R-1788 16. 00-R-1886 17. 00-R-1953 18. 00-R-1955 19. 00-R-2009 20. 00-R-2010 21. 00-R-2011* 22. 00-R-1890 23. 00-R-1937 24. 00-R-1938 25. 00-R-1939 26. 00-R-1940 27. 00-R-1988 28. 00-R-2006 29. 00-R-2013 30. 00-R-1887 31. 00-R-2015 32. 00-R-1957 33. 00-R-1958 34. 00-R-1877 35. 00-R-2008	36. 00-R-1959 37. 00-R-1882 38. 00-R-1985 39. 00-R-1943 40. 00-R-1945 41. 00-R-1946 42. 00-R-1947 43. 00-R-1948 44. 00-R-1949 45. 00-R-1951 46. 00-R-1970 47. 00-R-2016 48. 00-R-1901 49. 00-R-1902 50. 00-R-1903 51. 00-R-1904 52. 00-R-1905 53. 00-R-1906 54. 00-R-1907 55. 00-R-1908 56. 00-R-1909 57. 00-R-1910 58. 00-R-1911 59. 00-R-1912 60. 00-R-1913 61. 00-R-1914 62. 00-R-1915 63. 00-R-1916	64. 00-R-1816 65. 00-R-1817 66. 00-R-1818 67. 00-R-1819 68. 00-R-1820 69. 00-R-1821 70. 00-R-1822 71. 00-R-1823 72. 00-R-1824 73. 00-R-1825 74. 00-R-1826 75. 00-R-1827 76. 00-R-1828 77. 00-R-1829 78. 00-R-1830 79. 00-R-1831 80. 00-R-1832 81. 00-R-1833 82. 00-R-1834 83. 00-R-1836  * President Pitts recused himself.

00- 0-1797

(Do Not Write Above This Line)

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OTHER PURPOSES.

APPROVED BY *[Signature]*

DEC 04 2000

COUNCIL

- ☒ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred 11/20/00

Referred To: Public Safety & Legal Administration

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

V-Chair

Referred to

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☒ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

CERTIFIED

DEC 4 2000

*Debra M. Johnson*  
COUNCIL PRESIDENT PROTEM

CERTIFIED

DEC 04 2000

*Rachel Daughlin Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

DEC 13 2000

WITHOUT SIGNATURE  
BY OPERATION OF LAW